

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE BOARD OF TRUSTEES OF THE
SOUTHERN CALIFORNIA IBEW-NECA
DEFINED CONTRIBUTION PLAN,

Plaintiff,

v.

THE BANK OF NEW YORK MELLON
CORPORATION, et al.,

Defendants.

09-CV-6273 (RMB)

ECF Case

**ORAL ARGUMENT
REQUESTED**

**NOTICE OF DEFENDANTS' MOTION
FOR RECONSIDERATION OF ORDER DENYING SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Defendants' Motion for Reconsideration of Order Denying Summary Judgment and the supporting Declaration of Vincent Y. Liu, Defendants The Bank of New York Mellon, The Bank of New York, and BNY Mellon, N.A. (collectively, "BNY Mellon") will move, pursuant the Federal Rules of Civil Procedure, Local Civil Rules of the United States District Courts for the Southern Districts of New York, and the Court's instructions in open court on January 18, 2012, in the United States District Court for the Southern District of New York, before the Honorable Richard M. Berman, United States District Judge, at the United States Courthouse at 500 Pearl Street, New York, New York, on a date and at a time designated by the Court, for an order granting BNY Mellon's Motion for Reconsideration of Order Denying Summary Judgment and granting BNY Mellon's motion for summary judgment, filed on May 25, 2011.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's instructions in open court on January 18, 2012, Plaintiff shall file its responsive papers by February 1, 2012.

Dated: January 25, 2012
New York, New York

Respectfully submitted,

/s/

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